

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 2:23-cr-00132-APG-EJY

Plaintiff,

ORDER

v.

KOFI SARFO and ROSE SARFO,

Defendants.

Pending before the Court is Plaintiff's Motion for Leave to File Under Seal. ECF No. 75. This Motion is itself filed under seal. No redacted version of the Motion to Seal is filed on the publicly accessible docket in violation of LR IA 10-5(a).

Nevertheless, the Motion to Seal seeks to seal Exhibit C to Plaintiff's Notice of Intent to Introduce Certain Lay Testimony, or in the Alternative, Expert Testimony. ECF No. 75 at 1-2 referencing ECF No 74. Plaintiff asserts "[t]he exhibit contains non-public financial information, including, among other things, the names of various unindicted third parties involved in financial transactions." *Id.* at 2.

As the party seeking to seal a judicial record, Plaintiff must meet its burden of overcoming the strong presumption in favor of access and public policies favoring disclosure. *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006). Preventing the disclosure of non-public financial information and protecting the privacy of unindicted third parties constitute "compelling reasons" to seal. *Day v. GEICO Cas. Co.*, Case No. 21-CV-02103-BLF, 2022 WL 6584451, at *2 (N.D. Cal. Sept. 28, 2022); *United States v. Kwok Cheung Chow*, Case No. 14-CR-00196-CRBJS, 2015 WL 5094744, at *4 (N.D. Cal. Aug. 28, 2015). The Court therefore finds Exhibit C is properly sealed.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Leave to File Under Seal (ECF No. 75) is GRANTED.

1 IT IS FURTHER ORDERED that Exhibit C to Plaintiff's Notice of Intent to Introduce Certain
2 Lay Testimony (ECF No. 75-1) is and shall remain sealed.

3 IT IS FURTHER ORDERED that no later than **May 1, 2024** Plaintiff must file a copy of its
4 Motion for Leave to File Under Seal (ECF No. 75) redacted but unsealed on the publicly accessible
5 docket.

6 Dated this 25th day of April, 2024.

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9 ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE